

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL No. : 10/664,233 CONFIRMATION No.: 3364
APPLICANT : Andrew D. Park
FILED : September 17, 2003
ART UNIT : 3641
EXAMINER : Troy Chambers
DOCKET NO : 267/8
CUSTOMER NO : 36829

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

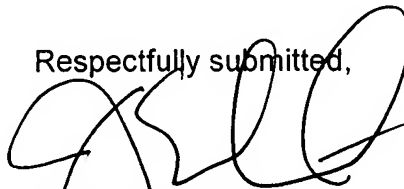
SUBMISSION OF DOCUMENTS

Sir:

Enclosed please find a Response, a Petition for Extension of Time, and a check in the amount of \$55.00 for any extension of time fees to be filed in the United States Patent and Trademark Office in the above-referenced patent application. If the accompanying paper is received after any applicable due date, Petition for Extension of Time under 37 C.F.R. §1.136 is hereby made.

If there are any additional fees due in connection with this matter, please charge Applicant's Deposit Account No. 50-2716. A duplicate of this paper is being submitted for this purpose.

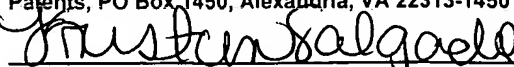
Respectfully submitted,



Jeffrey J. Schwartz
Attorney for Applicant
Reg. No. 37,532

SCHWARTZ LAW FIRM, P.C.
SouthPark Towers
6100 Fairview Road, Suite 530
Charlotte, NC 28210
TEL: (704) 552-1889
FAX: (704) 552-1866
EMAIL: jj@schwartz-iplaw.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 October 20, 2004.



Kristen Salgado

October 20, 2004
Date



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FOR: HARD ARMOR COMPOSITE

CONFIRMATION NO.: 3364

RESPONSE

Commissioner for Patents
P.O. Box 1450
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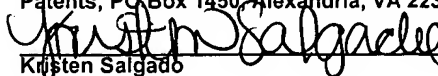
Sir:

This is responsive to the Examiner's Office Action dated August 20, 2004. The Office Action requires the election of multiple species, as outlined in paragraphs 1(a), 1(b), 1(c), and 1(d).

In view of the above, Applicant makes the following *provisional* elections:

- Regarding Paragraph 1(a), Applicant elects Species A as defined in the Markush Group of Claim 5;
- Regarding Paragraph 1(b), Applicant elects ceramic from the Markush Group of Claim 8;
- Regarding Paragraph 1(c), Applicant elects aramid from the Markush Groups of Claims 9 and 20; and
- Regarding Paragraph 1(d), Applicant elects boron carbide from the Markush Group of Claim 14.

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With regard to the election requirement of Paragraph 1(a), Applicant makes this provisional election *without traverse*. Claims 1, 4, 13, and 15 are generic. In the event any one of these claims is allowable, Applicant acknowledges its right to consideration of all claims to the non-elected species. Original Claims 6, 7, and 16 are drawn to the non-elected species.

With regard to the election requirement of Paragraph 1(b), Applicant respectfully submits that all members of this Markush Group should be examined together, regardless of whether they are directed towards distinct inventions. See M.P.E.P. §803.02. The members of the Markush Group are few in number and sufficiently related that a search and examination of the entire claim can be made "without serious burden." Id. The members of Claim 8 are each alternative elements of the *rigid facing* recited in generic Claim 1.

With regard to the election requirement of Paragraph 1(c), Applicant respectfully submits that all members of this Markush Group should likewise be examined together, regardless of whether they are directed towards distinct inventions. See M.P.E.P. §803.02. The members of the Markush Group are few in number and sufficiently related that a search and examination of the entire claim can be made "without serious burden." Id. The members of Claims 9 and 20 are each *high-performance fibers*—this element being recited in generic Claims 1 and 13, respectively.

With regard to the election requirement of Paragraph 1(d), Applicant respectfully submits that all members of this Markush Group should be examined together, regardless of whether they are directed towards distinct inventions. See M.P.E.P. §803.02. The members of the Markush Group are few in number and sufficiently related that a search and examination of the entire claim can be made "without serious burden." Id. The members of Claim 14 are alternative materials for the *ceramic facing* recited in generic Claim 13.

For all these reasons discussed above, Applicant submits that the provisional election requirements for Markush Claims 8, 9 & 20, and 14 (as outlined in Paragraphs 1(b)-(d), respectively) be traversed. The provisional election of Species A of Paragraph 1(a) is made *without traverse*. Claims 1, 4, 13, and 15 are generic. Such further action is respectfully requested at an early date. If the Examiner believes that issues remain for discussion, he is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, consisting of a series of loops and curves, positioned over the typed name and title of the signatory.

Jeffrey J. Schwartz
Attorney for Applicant
Registration No. 37,532

Jeffrey J. Schwartz
Schwartz Law Firm, P.C.
SouthPark Towers
6100 Fairview Road, Suite 530
Charlotte, North Carolina 28210
Tel: 704-552-1889
Fax: 704-552-1866
Email: jjis@schwartz-iplaw.com